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10 *Attorneys for Fire Victim Trustee*

11 **UNITED STATES BANKRUPTCY COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **SAN FRANCISCO DIVISION**

14  
15 In re:

16 **PG&E CORPORATION,**

17 **- and -**

18 **PACIFIC GAS AND ELECTRIC COMPANY,**  
19 **Debtors.**

- 20  Affects PG&E Corporation  
21  Affects Pacific Gas and Electric Company  
22  Affects both Debtors

23 \* *All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case)  
(Jointly Administered)

**FIRE VICTIM TRUSTEE'S  
STATEMENT OF NON-  
OPPOSITION TO  
CONSOLIDATED MOTIONS TO  
DEEM LATE-FILED CLAIMS  
TIMELY FOR THE PURPOSE  
OF CLAIM ADMINISTRATION  
BY THE FIRE VICTIM TRUST**

[Relates to Docket Number 12939]

1                   Cathy Yanni, in her capacity as the Trustee (the “**Trustee**”) of the Fire Victim Trust (the  
2                   “**Trust**”), by and through her undersigned counsel and as directed by the *Order Consolidating*  
3                   *Motions to File Late Claims* entered August 24, 2022 [Docket No. 12875] (the “**Consolidation**  
4                   **Order**”) and the *Order re Supplemental Exhibit to Order Consolidating Motions to File Late*  
5                   *Claims* entered September 1, 2022 [Docket No. 12923] (the “**Supplemental Consolidation**  
6                   **Order**”), respectfully states as follows:

7                   1.       The Fire Victim Trust Claims Resolution Procedures (“**CRP**”) mandate that  
8                   claimants must have timely filed a proof of claim to be eligible to receive compensation from the  
9                   Trust. **See** CRP § I. Accordingly, the Trust has been monitoring all motions filed with this Court  
10                  that seek to have late-filed proofs of claim deemed “timely” for the purpose of having such claims  
11                  administered by the Trust.

12                  2.       On September 8, 2022, the claimants listed on **Exhibit 1** hereto (“**Movants**”) filed  
13                  the *Amended & Consolidated Motion to Allow/Deem Timely Late Filing of Claimants, and*  
14                  *Memorandum of Points and Authorities and Declaration of Joseph K. Feist in Support Thereof*  
15                  [Docket No. 12939], through which Movants assert that they should be permitted to file late claims  
16                  for damages allegedly sustained as a result of the Camp Fire (the “**Asserted Fire Victim Claims**”).  
17                  Specifically, Movants request that this Court enter an order finding that the proofs of claim listed  
18                  on Exhibit 1 hereto (the “**Proofs of Claim**”) “are to be allowed as having been timely filed.”

19                  3.       In keeping with the current Trust policy of allowing as many Claimants<sup>1</sup> as possible  
20                  to receive compensation on account of valid Fire Victim Claims, the Trustee does not oppose the  
21                  entry of an order deeming the Proofs of Claim “timely” for the purpose of allowing the Trust to  
22                  administer the Asserted Fire Victim Claims **provided that** the Asserted Fire Victim Claims are not  
23                  thereby deemed “allowed” or “approved” and remain subject to the requirements of the CRP.

24                  4.       Nevertheless, the Trustee is concerned by the volume of late claim motions being  
25                  filed. As this Court is aware, the number of motions seeking to have late claims deemed timely has

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27                  <sup>1</sup> Capitalized terms used but not otherwise herein defined have the meanings ascribed to such terms in  
28                  the CRP.

1 skyrocketed in recent months. Of the 331 late claim motions filed since the December 31, 2019  
2 extended bar date for non-governmental Fire Claimants, 237 (more than 70%) have been filed in  
3 the last six months. One hundred fifty-five (155) of those late claim motions were filed in August  
4 alone. To put these numbers in perspective, in 2020, which included the months immediately after  
5 both the extended bar date and the effective date of the Trust (both events that could be expected to  
6 prompt the filing of late claim motions), the total number of late claim motions filed alleging Fire  
7 Victim Claims was 55. In 2021, the total number was only 22.

8 5. As of the date of this statement, 996 days have passed since the extended bar date.  
9 Five hundred seventy-three days (573) have passed since the deadline to file Claims Questionnaires  
10 with the Trust. Yet form late claim motions asserting only that Reorganized Debtors will not be  
11 prejudiced continue to be filed by the dozens, without consideration of the potential effect of  
12 granting these motions on the Trust and its beneficiaries.

13 6. The Trustee must balance a desire to ensure as many fire victims as possible are  
14 compensated injuries arising from the Fires against the fact that tens of thousands of fire victims  
15 were able to timely file proofs of claim in these cases. The Trustee also recognizes there is a  
16 fundamental difference between claimants who file motions to have long-filed late proofs of claims  
17 deemed timely after receiving notice from the Trust of this necessity and those who file motions  
18 shortly after (or before) late proofs of claim are filed. Accordingly, the Trustee will discontinue the  
19 Trust's liberal non-opposition policy with respect to late claim motions filed **after September 30,**  
20 **2022.**

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1       7. Nothing herein shall be construed to be a waiver by the Trust of any right to object  
2 to the Proofs of Claim or the Asserted Fire Victim Claims on any grounds other than the untimely  
3 filing thereof.

4  
5 DATED: September 22, 2022

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6  
7 By: /s/ERIC R. GOODMAN

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24      *Attorneys for Fire Victim Trustee*

**EXHIBIT 1**

## LIST OF CLAIMANTS AND PROOFS OF CLAIM

1	<b>DATE POC FILED</b>	<b>POC NO.</b>	<b>CLAIMANT(S)</b>
2	9-7-2022	108894	Eric Rix
3	9-8-2022	108932	Amanda Stoffer, Kylia Jenkins, Minors C. J.& L.S